

that must take our bad article, or have none at all; and under the last, we export near £300,000 worth to all parts of the world, in free and fair competition with France, Italy, India and China.

"The monopoly (of silk)," said Mr. Huskisson, "had produced what monopoly was always sure to produce—an indifference with regard to improvement. That useful zeal which gives life to industry, which fosters ingenuity, and which, in manufactures, occasions incessant efforts to produce the article in the most economical form, had been comparatively extinguished. To the prohibitive system it was to be ascribed, that in silk only, in the whole range of manufactures, we were left behind our neighbors. We have here a proof of that chilling and benumbing effect which is sure to be produced when no genius is called into action, and when we are rendered indifferent to exertion by the indolent security derived from restrictive regulations." The principle that is applicable to one art, is applicable to another, and the "useful zeal which gives life to industry," is hardly less necessary to the economical production of a quarter of wheat, or the rearing and fattening of an ox, than to the production of good web of silk.

REPLY TO THE ABOVE.
From the N. Y. Commercial Advertiser.
FREE TRADE.

GENTLEMEN—Of all the party claps of the day, it appears to me that no one has more humbug in it, or is less understood than that of free trade.

I wish to call your attention and that of your readers to an editorial piece in the Evening Post, with an extract from English papers, on the article of silk manufactures, in illustration of the advantages of free trade, not only to a country, but to the manufacturers themselves.—And as the Journal of Commerce has a similar, if not the same editorial remarks and extracts in its columns, it is fair to presume that the editors of both papers understand what they are writing about, and mean what they say. Silk manufactures now pay a cash duty in England of thirty per cent; and do they call that free trade? I have known a house in the vicinity of St. Paul's church yard, under the present rate of duty, exchequered for £10,000, on French goods found in their possession, and they paid it, too, rather than undergo the ordeal of an investigation by the officers of the government.—The above named editors say, "the silk trade of England has been one of the fairest experiments (of the advantages of free trade) that could possibly be made." If this is true I do not know what free trade means. I have been an importer for more than thirty years, and am tired of government experiments; believing that until our government protects and encourages its own labor, and supplies the country with a circulating medium of equal value in every part of it, our mercantile interests cannot prosper. I send you the enclosed from the Journal of Commerce, and will thank you to ask the editors of that paper and of the Evening Post what free trade means in the vocabulary of the day.

AN OLD NATIVE AMERICAN IMPORTER.
[The extract from an English paper, to which our correspondent refers, does not convey the idea that there is no protective duty on imported silk in England, as the editor of the Evening Post appears to have supposed. It speaks of free trade as opposed to monopoly—not to protection. And the great increase and improvement of the silk manufacture, which the Post and Journal cite as argument in favor of free trade, have grown up under a protecting duty of 30 per cent. as the editors of these journals may see by referring to the report from the State Department, on the commercial relations of the United States with foreign nations, document No. 163 of the House of Representatives, page 133.]

SOMETHING FROM BOTH SIDES.—The following proceedings took place in the House of Representatives on the 23rd of January.
The Journal of Saturday was read and approved.
Mr. Fillmore rose and asked leave of the House to make a personal explanation with reference to himself and to the Committee of Ways and Means.
Cries of "Go on," "go on."
No objection being made—
Mr. Fillmore proceeded. So long as he had been a member of this House, he said he had never, prior to this time, felt it his duty to notice any newspaper articles with reference to his conduct, or with reference to the conduct of those connected with him in this House. Nevertheless, there had been brought to his notice an editorial article, published in a leading Administration paper, printed in New York, "the Union," of the date of Saturday, January 23, 1843, reflecting so much on the character of the Committee of Ways and Means, and of this House, especially that part of this House with whom he usually acted, that he felt it his duty to notice it. He would send the paper to the clerk and request him to read the article.

The clerk read as follows:
"THE INFAMY OF FACTION.—One of the most infamous acts that 'faction,' in the plenitude of its power, ever perpetrated took place at the Capital of the United States, the day before the Committee of Ways and Means reported on the subject of the Exchequer Bill.
"It had been ascertained that a majority of the most liberal and discreet Whigs

were in favor of the Exchequer scheme recommended by the Executive; and it was further ascertained that it was very probable the Committee of Ways and Means would report in favor of the bill brought forward by Mr. Cushing. These facts having reached the ears of the leaders of the Clay faction, a caucus was ordered and holden, and went into operation the night before the report of the Committee was made.
"At the opening of the caucus it was planned that a majority of the Whigs present, weary of waging a reckless, unprofitable and infamous opposition to the people's will, had determined to go forth, like men, and sustain the President and the Exchequer.
At this stage of the affair, the leaders took their stand and commenced a furious attack on the President and the Administration, and denounced them both; and, having got up much excitement, they avowed that if any man, as a Whig, gave the least countenance to the plan of the President, he would be a traitor to his party, and as such should be presented to his country.
"Still many of the more discreet and liberal Whigs manifested a disposition to sustain the Exchequer and do something to relieve the embarrassments of the nation.
"At this stage of the game a letter from Mr. Clay was brought forward and read. In that most precious document he urged that it was the duty and the policy of the Whigs to defeat the Exchequer and leave the country to suffer. 'Let the people feel,' said the writer of the letter adroitly; 'let them suffer; and, casting the responsibility of the act on the shoulders of the President, as they will, they will soon become outrageous, and blight the last hopes of his ascendancy. But if you give them an Exchequer, it may relieve them somewhat; it may afford something of that pecuniary aid they seek, and the Whigs will be divested of the capital they work upon.'

"Such was the substance if not the very letter, of the epistle, and it was not without its effect. A long and an animated debate ensued, and finally the question was taken by yeas and noes. It is not known what was the exact vote, but is known that the minority was very strong, and that the majority in favor of instructing in caucus the Committee of Ways and Means to report against the Exchequer did not exceed four votes.
"A majority obtained after every thing like argument, menace, and denunciation had been exhausted and Mr. Clay's white Charles defeated the Exchequer bill in caucus, bound in chains one of the most important standing Committees of the National Congress, and deprived the nation of an opportunity of even discussing a bill, in the fate of which the happiness, the interests, and the future splendor of the whole nation are involved.
"If the Exchequer bill had not been defeated by the caucus—if it had been permitted to be introduced to Congress, where it legitimately belonged, it would have passed by the votes of the Democracy, aided by those of the supporters of the Administration and the support it would have obtained at the hands of the more liberal Whigs.
"But Mr. Clay ordained that the people should suffer; his slaves in Congress consummated the act, and let the infamy of the deed rest on the shoulders of the unprincipled of the Whigs—on him who, as Mr. Randolph, of Roanoke, fitly and eloquently said, attempted to sustain himself and his hopes by forming a coalition between the Puritan and the blackleg.
"Let the American people read and see, to their utter amazement, that a caucus of unprincipled demagogues and knaves at Washington, acting at the nod of Mr. Clay, can and do blight and desecrate the dearest and holiest interests of the nation. Let them read and know these things; and then, if they be true to themselves, let them advance in solid columns to the rescue of an Administration that is entitled to every man's confidence, respect, and approbation."

Mr. F. said he desired also an article from the Madisonian of this morning, on the same subject, to be read.
Mr. Wise interposed on a point of order, and after some conversation thereon—
The Clerk read from the Madisonian as follows:
[From the New York Correspondence of the Madisonian.]
"New York, January 19, 1843.
"One of the most disgraceful acts that ever distinguished a faction occurred at Washington, a few days prior to the uttering of the report of the Committee of Ways and Means in reference to the Exchequer bill.
"It is a somewhat roundabout way, to be sure, to get facts before the public that transpire at Washington—to send this from New York to the American Metropolis; but, as there are obstacles here in the way of free communication, and as the fact I wish to get to the world is important, I send it to you; and here I state it.
"The night before the Committee of Ways and Means was to report on the Exchequer bill, a caucus of the Whigs was held, and the subject was taken up for consideration.
"After consultation and debate had been had, it was found that there was a strong and determined disposition on the part of the Whigs to report favorably and to vote in favor of the bill. Indeed, there was a majority of the caucus in favor of such an issue. In the midst of this state of feeling, it was urged by unprincipled leaders that, if the bill found a favorable report, and should by any chance be adopted, it would at once ensure the popularity of the Administration, and facilitate the prosperity of the President. This of

itself, in all probability, would have been enough to damn the bill, and secure the defeat of the Exchequer scheme; but other aids were called in to consummate the unprincipled baseness of the Whigs.
"To complete the work of iniquity, a letter written, it is said, by Mr. Clay, dated at Natchez, in which it was urged that Congress ought to linger on till the 4th of March, do nothing for the country, and thus, by applying the screws to the whole commerce and business of the nation, rouse it to indignation towards the President, and thus aid the towering ambition of the Kentucky candidate for the Presidency.
"My sources of information are correct and authentic, and the facts here stated cannot be denied by the Whigs in Congress.
"But for the acts of the Whig caucus the Committee of Ways and Means would have reported the Exchequer bill on the basis of the scheme presented by the Executive; it would have been taken up in the House, and been adopted by the votes of the Democrats, aided by the liberal Whigs."
The House (continued Mr. Fillmore) would now perceive that grave charges were brought against the conduct of the Committee of Ways and Means, in reporting against the Exchequer. The first charge contained in the article in the Union, and reiterated in this letter in the Madisonian, was this:
"It had been ascertained that a majority of the more discreet Whigs were in favor of the Exchequer scheme recommended by the Executive; and it was further ascertained that it was very probable that the Committee of Ways and Means would report in favor of the bill brought forward by Mr. Cushing. These facts having reached the ears of the leaders of the Clay faction, a caucus was ordered and holden, and went into operation the night before the report of that committee was made."

With regard to the single fact stated here, Mr. F. desired to say that the report from the Committee of Ways and Means to this subject was made on Monday morning; so that if a caucus was held on the night preceding that report, by the Whigs, in reference to this subject, it must have been held on Sunday evening, and he desired to say that no caucus was holden either at that or any other time, to his knowledge, with any such object, or when any such proceedings took place as is alleged in this paragraph. No communication or information had ever come to his knowledge [A voice: "Or to the knowledge of any body."] from any source, that a Whig caucus had been held, at which it was determined what kind of a report should be made in this case.
The next charge was as follows:
"At the opening of the caucus it was plain that a majority of the Whigs present, weary of waging a reckless, unprofitable, and infamous opposition to the People's will, had determined to go forth, like men, and sustain the President and the Exchequer.
At this stage of the affair the leaders took their stand and commenced a furious attack on the President and the Administration, and denounced them both; and having got up much excitement, they vowed that if any man, as a Whig, gave the least countenance to the plan of the President, he would be a traitor to his party and as such should be presented to his country.
"Still many of the more discreet and liberal Whigs manifested a disposition to sustain the Exchequer, and do something to relieve the embarrassment of the nation."

Mr. F. had only to say in reference to that, that he had no knowledge of any such act at any time. He had no belief in any such thing having taken place. If it had been challenged any individual on this floor to rise and say he knew of it.
The next charge was—
"At this stage of the game, a letter from Mr. Clay was brought forward and read. In that most precious document he urged that it was the duty and the policy of the Whigs to defeat the Exchequer and leave the country to suffer."
Then followed (said Mr. F.) what purported to be a copy or an extract from that letter. He had only to say in reference to it that he knew not what Mr. Clay's sentiments were in reference to this subject; that he had never heard that Mr. Clay had ever written a letter to any person in reference to this subject; that no such letter had ever been produced or spoken of or alluded to at any meeting or caucus of the Whigs or of any other portion of this House that he had attended, and that the only knowledge he had in reference to Mr. Clay's opinions in regard to this matter was that general knowledge which he should infer from his (Mr. Clay's) character and public conduct, and from no other source whatever.
Having denied most unequivocally any knowledge of any caucus at which any part of the proceedings here detailed took place, Mr. F. could only say, in reference to the whole statement here contained, that so far as it related to any action of the Whig party of which he had any knowledge, it was unequivocally and absolutely false—and if there was any member on this floor who knew any facts otherwise, he desired him to rise now and give the House the information.
It was due to himself and to the committee with which he acted, to say that they had taken up this subject wholly independent of any thing that had taken place heretofore in this House or elsewhere; and with reference to himself he

would say, that he had commenced the consideration of the subject with a strong desire that they might be able to recommend this subject, or something similar to it, to the adoption of the House and the country; and it was only on a full investigation of the subject, with this desire on his part, that he had come to the conclusion that he could not discharge his duty to the House and to the country; but by recommending the rejection of the plan of the President.
He did not know that his duty to himself or to any other gentleman required that he should say more. There were other members of the committee here, and if they had any knowledge of this subject beyond his, or different from it, he hoped they would rise and give that knowledge to the House and to the world.
He was asked (and he had no objections to stating if it was in order) how long it was before this report was made that the committee came to the conclusion at which they finally arrived in the report. He would say that the committee took up the subject and investigated the several documents carefully, and when they came to the final result there was no difference of opinion in the committee in reference to it, and that it was at least two weeks, and he should think more, before the report was made to this House. It was then directed to be drawn up, and time was given for it, and for canvassing it in committee, before it was finally submitted to the House.
If there was any member of the committee whose recollection differed from his in regard to this thing, or if there was any member of this House Whig, or Democrat, or who belonged to what was usually denominated "the guard," who had any knowledge of facts different from what he had now stated, he hoped that member, whoever he might be, would rise and state it, that he might have an opportunity for correction. He had stated the facts as he understood them.
Mr. Wise inquired if he understood that the gentleman from New York (Mr. Fillmore) intended to impute to him (Mr. W.) or any other member of what he choose to call "the guard," any part or lot in this publication in "the Union" or in "the Madisonian?"
Mr. Fillmore. Most certainly not; he would not suspect any member on this floor to be guilty of so dishonorable and so disgraceful an act.

MR. MARSHALL—MR. WEBSTER.—
The following is an extract from a late speech of Mr. Marshall's, in the House of Representatives, in which he describes Mr. Webster in delivering his speech in reply to General Hayne, on the subject of nullification.
Sir, I spoke the other day of the impression made upon my imagination by the great Senator from Massachusetts when I saw and heard him for the first time put forth his vast powers in debate. The Democratic prints sometimes call him the "godlike" in derision. To me that day he seemed almost divine. He looked the Olympian Jove in Council. Had celestial wisdom chosen a mortal residence, on that majestic brow she might have fixed her throne. The massive grandeur, philosophic cast, and rigorous contour of the head, all giving infallible indication of the possession and intense exertion of the higher faculties of reasoning and investigation, contrasted, yet harmonized with the wild and dreamy light that streamed from the large, dark, unfathomable eyes, flashing as they rolled, the very soul of idealism and romance.
Never was the appearance of a man more in perfect keeping with the true character of his intellect; never were head and face more truly the type of the genius which animated them. Never were more varied, wonderful, and to vulgar apprehension, incomprehensible faculties conferred on any man. Profoundly learned, he exhibited its results rather than its processes. No clumsy, fatiguing, pedantic array of the immense mass of his knowledge; no tedious details of the vast range of facts from which he had deduced his principles, loaded your attention or retarded his argument. He had studied the history of all nations, and extracted the universal truths impressed upon them all that he might apply them to the peculiar constitution and practical affairs of his own.
He had bathed in the fountains and quaffed from the genuine source of knowledge and of truth, and came thence imbued and reeking with the essence of philosophy, while he trampled and rejected the trammels of the schoolman's jargon, scorning to employ as the instruments of his demonstrations the formal categories of a technical logic. Yet the clearness, closeness, simplicity and accuracy of his statement of general propositions, and the intense, rigorous, unsparring severity with which he enforced and applied them, neither chilled the glowing nor curbed the grandeur of his style. A long and swelling volume of his speech rolled proud philosophy, seated in the triumphal car, clad in the gorgeous vestments, and breathing from every part the rich perfumes of poetry itself. And what, was his theme that day
The constitution, its popular origin, its paramount power, its entire independence of State control or interference, the universality of its powers where they did exist, and the jurisdiction of the Supreme Court of the Union of all questions on which their existence was involved. These mighty principles were the very burden of his discourse. Hevens, how his lip wreathed and curled under the fierce and almost savage smile that quiv-

ered, flickered, and played around his mouth and over his swart cheek, like lightning o'er a cloud, while he hurled back the thunders of his invective, or poured out in mingled mirth and madness the full torrent of his derision and scorn upon the peculiar doctrines of the South, scattering sophisms, retorting sarcasms, and flinging defiance upon the hunters of the South and West who pressed and swarmed around the lion they had roused. And shall he, my master, come here now to unteach me all, all—
Here Mr. Proffit called the hour rule, and Mr. Marshall ceased to speak.

GEN. JACKSON'S FINE.
The New Orleans Tropic gives the following narrative of facts which led to the imposition of the fine of \$1000, which Gen. Jackson's friends in Congress are now seeking to have refunded.
The ever memorable battle of New Orleans, as all know, was fought on the 8th of January, 1815. That battle was decisive in its character and in its results. The troops of Great Britain, flushed with the hopes of an easy conquest, were defeated, driven back in disgrace, leaving their General and the flower of the army among the slain. Those who know anything of the history of the times, know the courage and devotion displayed upon that occasion by all classes of our citizens. Almost every man capable of bearing arms shouldered a musket and rushed to meet the invader, and among those who fought hardest and bled freest, the French population of the city were eminently distinguished. Tousard, the French Counsel at New Orleans, though forbidden to enlist himself, was most active in inducing his countrymen, residents of the city, to enroll themselves, and with perhaps a few exceptions they rallied around the stars and stripes with as much alacrity as the bravest American citizen. Men owing allegiance to la belle France, did as much service on that glorious occasion as any who ever pulled a trigger, and they did it without the hope or expectation of reward. Many of these brave fellows abandoned their families and homes, determined not to lay down their arms while the foe was within our reach and nobly did they redeem their pledge. They did not retire until our proud invaders were humbled—until our rivers ran red with their blood, and our fields were covered with their slain. But when the enemy had been repulsed, and our arms were covered with a signal, and so far as we were concerned, an almost bloodless victory, then, and then only, they asked for permission to retire—for leave to return to their deserted homes! As they were citizens of another country, men who had volunteered to defend our soil, this request seemed to be the most natural one in the world. The exigency which had called them forth had passed away, their services were no longer needed; and when the feet of our foes no longer polluted the soil of Louisiana—when news of the ratification of the treaty of peace between Great Britain and our Government had been received, then, and not till then, they asked what they were by every consideration entitled to, a discharge from further duty!
These applications, the reader will remember, were made on the 22d day of February, and more than a month after the battle! The first applications for discharge were granted upon the presentation of certificates of their national character, signed by Tousard, the French Counsel, already spoken of. The first applicants were readily discharged by General Jackson, but the number increasing more than he calculated on, he got into a towering passion, and ordered Tousard to leave the city. On the last day of February he issued a general order, commanding all Frenchmen having Tousard's certificates, countersigned by himself, to retire from the city to some point above Baton Rouge! In addition to this, a list of the names of all persons who did not leave within three days, was directed to be taken.
That so ungracious a return should have been made to the gallant fellows who had aided in the defence of the city, very naturally, excited a great deal of feeling. Papers from Washington, announcing the arrival of the treaty, had been received, and the order of General Jackson was considered exceedingly harsh and unnecessary. At this stage of the proceedings, Louallier, a native of France but a member of the Legislature from Opelousas, and one of the most active and efficient members in all that trying time, wrote and published in the Courier, an article of some length in which he reviewed General Jackson's order with some severity, and recommended the persons alluded to, to remain quietly at their homes.
This publication appeared on the 3d of March, and at once, the pent up wrath of General Jackson burst forth. He persuaded himself that Louallier could be tried by a Military Court Martial as a spy, and hung up without ceremony. With this view he caused to be published, the second section of the rules and articles of war, which denounces the punishment of death against spies! Accompanying this section was a notice, that the "city of New Orleans and its environs, being under martial law, and several encampments and fortifications within its limits, it was deemed necessary to give publicity to the section for the information of all concerned."

This publication was made on the 4th of March, and the next day, Sunday, the 5th, Louallier was arrested and confined!
Here it was that the trouble commenced, and here it may not be improper to add, that in December previous, the Legislature had refused to comply with the wishes of Gen. Jackson and suspend the operation of the writ of habeas corpus! That body wisely determined not to outlaw the citizens of the State by depriving them of that great bulwark of personal liberty.

The counsel of Louallier applied to Judge Hall, of the United States District Court for a writ of Habeas Corpus, and he immediately gave his fiat. Gen. Jackson at once conceived that he could try Judge Hall also before a Court Martial, and hang him and forthwith he signed a warrant for his arrest and the mittimus for his imprisonment! Judge Hall was accordingly arrested at his house that night, and confined in the same room with Louallier in the barracks! This done another was dispatched to Claiborne, the Clerk of the Court, with a demand for Louallier's petition, on the back of which Judge Hall had made his order. This the Clerk promptly refused to surrender, but finally consented to take the document to Gen. Jackson's quarters. He was asked if it was his intention to serve the writ, to which he promptly responded, yes! He too was threatened with an arrest, but he was not to be moved by menaces from Louallier's petition, on the back of which Judge Hall had made his order. 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